

Planning Commission Meeting

Minutes of Morgan City Planning Commission GENERAL meeting held in open public session on March 17th, 2015 at 7:00 p.m., in the Council/Court Room in the City Office at 90 West Young Street.

MINUTES

MARCH 17TH, 2015

7:00 PM

MORGAN CITY COUNCIL ROOM

MEETING CALLED BY	Doug Garfield
MEMBERS	Julie Anderson, Ernie Durrant, Dave Carter, Robert Lynam, Nate McClellan.
EXCUSED	David Griffith, Jim Brown.
CITY STAFF	Steve Garside, City Planner; Tony London, Council Member; Ray Little, Mayor; Jeff Wardell, Council Member.
OTHERS PRESENT	Jon Cannon, Dave Fraser, Ryan Nye, Russ Moore, Pamela Turner, Gaylene Kimbal, Shastene Breshears, Ron Hales.
INTRODUCTION	

WORK SESSION

DISCUSSION	<p>Concept review-Rynell Business Park-Steve Garside stated that one of the planning issues is with the road. The Master Road Plan has the development road connecting South of this development. The applicant has designed a cul de sac. Speaking with Matt Hartvigsen, city engineer, he indicated there are other options for circulation that having a cul de sac should not be an issue. The other planning issue is Industrial Road, as per current Ordinance, should be completed. Industrial Road will have configuration changes and is not developed past this proposed development. City Council could enter into a delay agreement on the front of the property, delaying the installation of the improvements (curb, gutter, sidewalk) until the road is established. Mayor Little has met with the developers and informed the Commission of their proposed use of the 3 lots.</p>
	<p>Site Plan Review Revision-Riverbend Luxury Apartments-Steve Garside stated he received the applicant's original revised Landscape plan after his initial staffing notes. The Layout design is adequate, but with no labeling of Vegetation type. The Commission can accept the landscape plan, and requiring the applicant to stay with labeling of vegetation on the original landscape plan. The play areas need to be relocated near the residential structures. The larger play area located near the northwest of the buildings, while a smaller one to the front, southeast of the buildings. Picnic or gazebo-like facilities should be located along the river. Play areas tend to have children unsupervised with a potential safety hazard with them being located by the river. Having picnic or gazebo type facilities located by the river instead will draw family gatherings to enjoy the river supervised.</p>
	<p>Concept Review-Subdivision 125 N. 300 E.-Steve Garside stated the General Plan envisioned the commercial area continuing from Commercial Street to the Weber River. That long range view contemplates a transition from residential to commercial, as the residential uses weaken, and the area becomes more desirable for commercial uses. This has not occurred at this location. The residential uses remain strong and no commercial transition is apparent in this block. The applicant would need to apply for a General Plan amendment from Commercial to low density-Residential.</p> <p>The proposed dedication of property for the improvement of 300 East will be mutually beneficial. The only access concern is that lot 4 is proposed to be a flag lot. City Code does not permit flag lots in new developments of this size. However, in looking at the configuration of the property, this may be the only option</p>

	<p>if the River Cove development is not inclined to expand its boundaries. If so, a variance would need to be pursued to allow lot 4 to be a flag lot. Jon Cannon along with Commission members discussed the options for the 4th lot. Jon Cannon does not desire to build a flag lot and will continue to approach River Cove for a boundary expansion.</p> <p>Conditional Use Permit-Electronic Sign Permit-Morgan High School-Julie Anderson discussed her position in regards to the Conditional Use permit as she voted against the Ordinance amendment allowing electronic Signs on public use property in a residential zone. Steve Garside stated it is the Commission member's duty to uphold the Ordinance. As the amendment did pass, it is the responsibility of each member to process the Conditional Use Permit as outlined in the Ordinance.</p> <p>The Commission and staff discussed requiring the following conditions upon the application and to have a review one year from approval; Control of the lumens of the sign as the natural light transitions from day to night, the brightness of the sign cannot interfere with the surrounding residential uses or the traveling public, no flashing or exploding signage and a timing plan for the messages so that their display will not distract the drivers in the area.</p> <p>The Commission members discussed that if there was complaints prior to the one year review, the Commission can request the applicant come back to the Planning Commission for review of the conditions and complaints.</p>
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GENERAL SESSION

MINUTES APPROVAL-FEBRUARY 17TH, 2015

MOTION	<p>Julie Anderson moved to approve minutes of the Planning Commission for February 17th, 2015 with striking the "s" on page 5 of 5 on the word "projects".</p> <p>Second: Bob Lynam</p> <p>Unanimous</p>
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ITEM #1

CONCEPT APPROVAL-RYNELL BUSINESS PARK

DISCUSSION	<p>This property consists of approximately 5.86 acres of property. Each of the 3 proposed lots contain more than sufficient property to house commercial and industrial operations. For the most part, this property is vacant with the exception of some outbuildings.</p> <p>The property is appropriately zoned and has the General Plan designation that is consistent with this proposal. The application includes a cul de sac that aligns with 400 North. The Transportation Element of the General Plan provides for a future roadway that is to extend from Industrial Road to the south in order to complete a transportation network as development occurs in the industrial area of the City. Whether that roadway needs to be provided with this development, or if an equally effective road can be provided further west, is a consideration for the Commission and the City Council.</p> <p>The applicant will also be responsible for completing the improvements (final width, curb, gutter, and sidewalk) along the southern side of Industrial Road.</p> <p>The applicant must ensure that sufficient utility capacity and infrastructure exist to support the proposed development. This includes meeting with the Water Board.</p> <p>Planning Staff recommends approving the concept plan with the following conditions and understandings:</p> <ol style="list-style-type: none"> 1. Roadways. The applicant must plan on completing the improvements along Industrial Road, or entering into a delay agreement, whichever the City prefers. The applicant must present alternatives to the General Plan for the roadway system in the industrial area if the applicant is not providing a through roadway in this development. 2. Utilities. The applicant must ensure sufficient utilities exist to support this development
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	Mrs. Turner questioned if the applicant and city address the ditch easements. Council Member, Tony London indicated the applicant is required to meet with the Water Advisory Board members prior to final approval. Staff stated Water Advisory Board meeting was scheduled for April 14 th , 2015 and that the deadline for agenda items is March 31 st , 2015.
MOTION	Ernie Durrant moved to grant Concept Approval of Rynell Business Park, subject to meeting all staff recommendations, which are adopted as requirements herein. Second: Dave Carter Unanimous

ITEM #2 SITE PLAN REVIEW REVISION-RIVERBEND LUXURY APARTMENTS

DISCUSSION	<p>This project received final approval last year. The approval included 3 twelve-plex buildings. Since that time, potential changes to the FEMA flood maps have been made available. The applicant is concerned that if the new maps are approved, portions of this project would be precluded from being completed. In order to proceed without that complication, the applicant is proposing an amended site plan that takes into account the new FEMA maps.</p> <p>The major change is the reduction in number of building from three to two. This will reduce the number of apartments from 36 to 24. The buildings have been moved farther away from the river and additional storage units nearer the river, adjacent to the parking lot.</p> <p>Subsequent to submitting the initial staff memorandum, staff received a proposed landscape plan.</p> <p>The submitted landscape plan contains sufficient landscaping, including the proposed shrubbery and trees. While the type of vegetation is not specifically identified, the variety and types identified in the originally approved site plan would be recommended. The location of the two play areas is of concern. Both play areas should be closer to the residential buildings. While it is appropriate to have amenities near the river, staff would recommend picnic or gazebo type features. This would keep the children using the play areas closer to supervision, while the picnic or gazebo-like features are more conducive to family or group activities, providing for supervision for younger children.</p> <p>RECOMMENDATION:</p> <p>Regarding the proposed landscaping, staff recommends its approval with the following requirements:</p> <ol style="list-style-type: none"> 1. The types and varieties of vegetation identified in the original landscape plan be adopted and required in this amendment. 2. The play areas be relocated near the residential structures. The larger play area located near the northwest of the buildings, while a smaller one to the front, or southeast of the buildings. 3. Picnic or gazebo-like facilities located along the river. 4. Layout of the buildings, the vehicle circulation, lighting and snow storage all appear appropriate. <p>Doug Garfield stated that the applicant has not identified the species on the newly submitted landscape plan. The commission can adopt the revised site plan and landscape plan with a transfer of vegetation species identified in the previous approved Landscape plans. The play areas need to be relocated near the residential structures. The larger play area located near the northwest of the buildings, while a smaller one to the front, southeast of the buildings. Picnic or gazebo-like facilities are to be located along the river. Play areas tend to have children unsupervised with a potential safety hazard been located by the river. Having picnic or gazebo type facilities located by the river are more conducive to draw family gatherings and enjoy the river supervised.</p> <p>Pam Turner questioned is the storage units for renters only or for public use. Steve Garside stated there is a restriction limiting the storage units to be used for current renters only.</p> <p>Resident, Dave Frazier asked if the elevation is efficient for FEMA requirements. Jon Cannon indicated they had spent quite a bit of money working with the engineers and FEMA to ensure proper design. The land is currently well above the required elevation. Morgan City engineers have been working closely with the developer and his engineers on this project to ensure all requirements are met.</p>
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MOTION	<p>Robert Lynam moved to approve the site plan revision as presented for Riverbend Luxury Apartments, accept the landscape plan requiring the applicant to stay with labeling of vegetation on original landscape plan, that the play areas need to be relocated near the residential structures and the larger play area located near the northwest of the buildings, while a smaller one to the front, southeast of the buildings.</p> <p>Second: Julie Anderson</p> <p>Unanimous</p>
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ITEM #3 CONCEPT REVIEW-SUBDIVISION APPROXIMATELY 125 N. 300 E.

DISCUSSION	<p>This property consists of approximately 1.37 acres of property. Lot 1, which fronts on 125 North, has an existing home and other structures and is proposed to occupy 17,037 square feet. Lots 2, 3, and 4 consist of vacant property, and each has sufficient property to meet the zoning requirements.</p> <p>While lots 1, 2 and 3 are zoned R-1-8/R-1-10, the General Plan has identified this area as General Commercial. Lot 4 is zoned R-1-8/R-1-10, and has a General Plan designation of Low Density Residential, and thus the concept is in compliance with both designations.</p> <p>As stated, lot 1 has an existing residential structure and is being used as residential. Across 300 East is the former Carrigan Motors and its attendant buildings, and commercial uses continue from 300 East, along 125 North to Commercial Street. The next area of commercial to the southwest is the bowling alley, with several residentially used properties between it and the subject property. The subject property borders the River Cove development to the south and has residential adjoining it on all sides, excepting across 300 East.</p> <p>The General Plan envisioned the commercial area continuing from Commercial Street to the Weber River. That long range view contemplates a transition from residential to commercial, as the residential uses weaken, and the area becomes more desirable for commercial uses. This has not occurred at this location. The residential uses remain strong and no commercial transition is apparent in this block. While there is existing commercial across 300 East, the roadway provides a buffer, and the proposed lots are of sufficient size to provide any on-site buffering the occupant might desire. Based on the existing conditions, staff would recommend that an amendment to the General Plan accompany this application at the next stage. Staff would be recommending that the anticipated amendment be approved.</p> <p>The proposed dedication of property for the improvement of 300 East will be mutually beneficial. The only access concern is that lot 4 is proposed to be a flag lot. City Code does not permit flag lots in new developments of this size. However, in looking at the configuration of the property, this may be the only option if the River Cove development is not inclined to expand its boundaries. If so, a variance would need to be pursued to allow lot 4 to be a flag lot.</p> <p>The applicant will need to ensure sufficient utilities exist for this project, including meeting with the Water Board.</p> <p>Planning Staff recommends approving the concept plan with the following conditions and understandings:</p> <ol style="list-style-type: none"> 1. 300 East. The applicant must coordinate with the City and the completion and location of improvements for the roadway. 2. General Plan Amendment. Along with the request for further approvals, an application for the amendment to the General Plan should be included, as lots 1, 2, and 3 are currently designated General Commercial in the General Plan. 3. Flag Lot. At the time the applicant determines that lot 4 must be a flag lot, a request for a variance will need to be submitted to the City. <p>Pam Turner questioned the 4th lot having enough room for emergency vehicles to turn around when there is no proposed turn-a-round. Steve Garside explained that the 4th lot is more like a long driveway since it will only be servicing the one lot.</p> <p>Jon Cannon addressed the Commission and audience explaining the development. Jon also explained the issues with 300 East and how the project will fix them as well as some boundary issues with a neighboring resident. The applicant stated he did not have any real plans for lot 4 at this time. Possibilities are to add the lot to River Cove or building a home on the flag lot. Mr. Cannon states the homes will be in the low 200's to allow for affordable housing.</p>
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MOTION	<p>Dave Carter moved to grant Concept Approval Jon Cannon Subdivision approximately 125 North 300 East, Morgan, UT 84050 with the knowledge that a General Plan Amendment; request for a Variance to allow lot 4 as a flag lot is needed to proceed; and provide for the widening and improvements if 300 East.</p> <p>Second: Julie Anderson</p> <p>Unanimous</p>
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ITEM #4 CONDITIONAL USE PERMIT-ELECTRONIC SIGN-MORGAN HIGH SCHOOL

DISCUSSION	<p>Earlier this year Morgan High School petitioned the City for an amendment to the City's sign ordinance. The School would like to replace its existing sign with an electronic message sign. Under the City's Code at that time, this type of sign was only allowed in the Commercial and Manufacturing/Industrial zoning districts in the City. Upon a review by the Planning Commission, a recommendation was sent to the City Council to allow these signs on public properties, such as schools and recreational facilities, as a conditional use. The Council approved and adopted that ordinance on March 10, 2015. Pursuant to that amendment, the School is now before the Commission asking that the conditional use permit (CUP) be issued.</p> <p>The initial step in reviewing a conditional use permit is set forth in the City's Code. The Code first requires a review of the following issues: a) whether the proposed use, at the specific location, is in harmony with the general intent and purpose of the general plan and the applicable zoning district regulations; b) whether the proposed use is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and the neighborhood; and, c) whether such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. If the Commission determines that the application satisfies those considerations, the Commission may then impose conditions that further address the intent of the City's Code.</p> <p>It is staff's position that these criteria are or can be satisfied. First, this use is in harmony with the general intent and purpose of the general plan and the zoning district. Admittedly, these signs are not in harmony with residential zoning regulations. However, when used in conjunction with a large public use, such as schools, recreational facilities, etc., the appropriateness of this use is apparent. These uses generally have signs as a part of their development, and signage is consistent with these uses. The additional impact of these electronic signs converts the permitted use to a conditional use, as these impacts require mitigation as needed. Second, this use is a desirable use in our community, as it provides notice of calendared events at the School and provides other relevant information. Third, while the additional impacts of this type of signage can be significant, these impacts can effectively be mitigated.</p> <p>PLANNING ISSUES:</p> <p>The primary impacts of these signs are the brightness and the distracting nature of some displays. The brightness impacts the surrounding neighborhoods and can be a serious distraction for drivers. The displays on these signs can also create serious distractions for drivers by the flashing of messages or lights and the speed of the message. While the City's Code does not specify the brightness of the timing of the messages, the standard to be used is one of reasonableness. The applicant should provide a proposal for addressing those issues and what adjustments can be made if additional measures must be taken if problems occur, even after a permit is issued. These proposals should include automatic adjustments of the brightness depending on the natural lighting conditions, hours of operation for the sign, restricting the use of exploding or flashing graphics, and the length of time a message is displayed.</p> <p>RECOMMENDATION:</p> <p>Staff recommends the granting of the conditional use permit with the following conditions being imposed to ensure compatibility with the Code and the surrounding properties:</p> <ol style="list-style-type: none"> 1. The applicant should provide a plan that will ensure the control of the lumens of the sign as the natural light transitions from day to night. The brightness of the sign cannot interfere with the surrounding residential uses or the traveling public. 2. The applicant must ensure that those driving in the area will not be distracted by flashing or exploding graphics. Further, the applicant should propose a timing plan for the messages so that
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	<p>their display will not distract the drivers in the area.</p> <p>Pam Turner asked if the school had an estimate on the monthly electrical bill to run such a sign. Council member Tony London indicated he was on the committee for Devil's Side Credit Union when they were contemplating an electronic sign and had the same concern. Electronic signs now use LED lighting and the cost to run the sign for Devil's Side Credit Union ended up being very minimal. Morgan School District representative Shasta Breshears stated their sign houses LED lighting.</p> <p>Shasta Breshears stated that the challenge was given to the students to raise the money for the new sign. She was amazed at how quickly the students raised the funding for the project. She is hoping to have the sign installed so that those seniors leaving this year can see that their hard work paid off. This type of sign is new to the school and will probably have some trial and error. The school is more than willing to keep with the harmony of the surrounding residential zoning and will adjust to accommodate. The school would appreciate any feedback the city has to offer.</p> <p>Julie Anderson reiterated that the applicant should ensure the control of the lumens of the sign, the brightness of the sign cannot interfere with the surrounding residential uses or the traveling public, that there be no flashing or exploding graphics that would distracted those driving in the area and that there be a possible timing plan for messages. The city would like to review the CUP in one year.</p>
MOTION	<p>Ernie Durrant moved to grant the Conditional Use Permit-Electronic Sign-Morgan High School with the applicant scheduling a review of the Conditional Use Permit in one Year, subject ti the conditions set forth in staff's memo, which are hereby adopted.</p> <p>Second: Nate McCellan.</p> <p>Unanimous</p>

ADJOURNMENT



 Teresa Shope, Secretary

These minutes were approved at the

April 21st 2015 Meeting.